

REMARKS

Claims 1-13 remain for consideration, and all claims are thought to be allowable over the cited art.

Rejections Under 35 USC §102(e)

The Office Action fails to show that claims 1-13 are anticipated under 35 USC §102(e) by US patent number 6,430,736 to Levi et al. ("Levi"). The rejection is respectfully traversed because the Office Action does not show that all the limitations are taught by Levi.

It is not apparent how the cited teachings of Levi could be construed to teach the claim limitations, nor does the Office Action explain any specific correspondences of claim limitations to elements of Levi.

Claim 1 sets forth a method for executing instructions of a computer program in a computing arrangement that includes an instruction processing engine coupled to a programmable logic device (PLD). Levi teaches a method and apparatus for evolving configuration bitstreams (Title, Abstract), and Levi's evolving of bitstreams appears to have little relevance to executing a program using an instruction processing engine and a PLD.

The method of claim 1 includes limitations of profiling the computer program during execution on the instruction processing engine, whereby profile data are generated for code segments in the computer program. Nowhere is it apparent that Levi teaches or suggests profiling a computer program. Furthermore, the cited teachings Levi (FIGs. 3 and 4; col. 6, l. 30 – col. 4 l. 13) discuss processing of a chromosome and evolving a configuration bitstream. Those skilled in the art will recognize that profiling a computer program is not taught by evolving a configuration bitstream.

The method includes further limitations of selecting a segment of the computer program and transforming the code segment into a configuration bitstream that implements functionality performed by the code segment. Levi does not appear to teach any computer program code, selection of any portion of the program code, nor

translation of a segment of program code into a configuration bitstream. The cited teachings of Levi specifically teach translation of a chromosome. Levi begins in one embodiment with a random population of chromosomes (col. 7, l. 1), which clearly neither teaches nor suggests a computer program or a code segment thereof.

The method includes still further limitations of configuring the PLD with the configuration bitstream resulting from transformation of the code segment and activating the PLD in lieu of execution of the code segment during execution of the computer program. The cited teachings of Levi (FIGs. 3, 4, and 5; and col. 9, l. 43 – col. 11, l. 60) show no apparent execution of a program and activation of a PLD in lieu of executing a transformed code segment. If the rejection is maintained, an explanation is requested as to the specific elements of Levi that are thought to correspond to the claim limitations.

Having failed to show that Levi teaches all the limitations of claim 1, the Office Action has not established that claim 1 is anticipated.

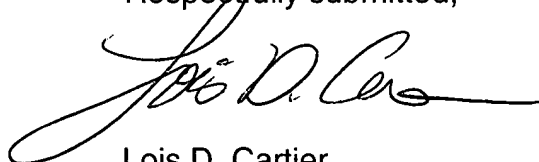
Claim 12 is an apparatus claim, and claim 13 is directed to a computing arrangement. Each of claims 12 and 13 include functional limitations similar to those of claim 1 as described above. Thus, for at least the reasons set forth for claim 1, the Office Action fails to show that claims 12 and 13 are anticipated by Levi.

Claims 2-11 include limitations that further refine the limitations described above for claim 1. Therefore, the cited teachings of Levi as asserted against these claims are inapplicable to these claims for much the same reasons as set forth above for claim 1. Claims 2-11 are not shown to be anticipated by Levi, and the rejection should be withdrawn.

CONCLUSION

Reconsideration and a notice of allowance are respectfully requested in view of the Remarks presented above. If the Examiner has any questions or concerns, a telephone call to the undersigned is invited.

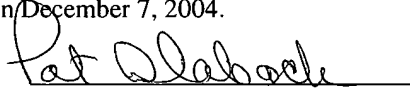
Respectfully submitted,



Lois D. Cartier  
Agent for Applicants  
Reg. No.: 40,941  
(720) 652-3733

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patent, P.O. Box 1450, Alexandria, Virginia 22313-1450, on December 7, 2004.

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